

REMARKS/ARGUMENTS

This case has been carefully reviewed and analyzed in view of the Official Action dated 31 July 2007. Responsive to the Official Action, Claim 1 has been amended to further clarify the inventive concept of the Applicant in the subject Patent Application. Claims 2-8 remain as originally filed. Claims 9-32 have been withdrawn in a response to the Restriction Requirement previously made by the Examiner.

The Examiner has rejected Claims 1-8 under 35 U.S.C. 102(b) as being anticipated by the Wessel, et al. Patent 6,216,553.

Prior to a discussion of the rejection, it is believed that a brief review of the subject Patent Application's subject matter with respect to the amended Claims be provided in order to further clarify the objects and purposes of the Applicant.

The subject system is directed to a bicycle transmission control device which includes a rotary member 2 mounted on the handlebar of a bicycle and includes a disc body 21 (turning member) which includes a second linking section 23 (lug member) as clearly seen in Fig. 1. The rotary member 2 and the disc body 21 (turning member) is mounted over the rotary member 2 and both the rotary member 2 and the disc body 21 (turning member) extend in the direction of a central axis line of the bicycle handle.

The second linking section 23 (lug member) is insertable within a cavity or first linking section 33 of the locking member 3. In this manner, (as clearly seen in Fig. 1) the locking member 3 is rotatable around or pivotal with respect to the second linking section 23 (lug member) to allow rotation of the locking member 3 in an off-axis manner with respect to the axis line of the rotary member 2 and the disc body 21 (turning member). The fixed housing 1 is seen throughout the Figures and consists of an inner circumferential wall 122 and an outer circumferential wall 121. The radial distance between the inner circumferential wall 122 and the outer circumferential wall 121 defines a width of the annular cavity 12 within the fixed housing 1.

The locking member 3 has an overall extension between opposing sides which is greater than the radial distance between the inner and outer circumferential walls 121 and 122, in order to allow the locking member 3 opposing sides to bear respectively against the outer circumferential wall 121 and the inner circumferential wall 122 which is clearly seen in Fig. 3 when the locking member is engaged within the ratchets 131.

The locking member 3 is always resiliently tensioned by the steel cord 4, and thus the second locating section 32 is biased towards the first locating section 13 of the fixed housing 1 for engagement therewith.

In this manner, there is a locking of the locking member 3 between the inner and outer circumferential walls 121 and 122 of the fixed housing 1 to maintain an extremely fixed and rigid constraint of the locking member 3.

This is a great advantage wherein the locking member is clearly maintained in a fixed position and does not allow the transmission control device to be moved from one gear to another gear during operation of the bicycle.

Referring now to the rejection made by Examiner directed to Claims 1-8, the Examiner has provided an anticipation rejection based upon the Wessel, et al. reference. The Examiner has referred to a fixed housing, a locating member, a turning member and a locking member having a length larger than the width of the annular cavity. It is believed that the Wessel, et al. reference does not show the element of the locking member as provided in the subject invention system for the purposes and objectives as has been previously described.

The Wessel, et al. reference is directed to a selector for a bicycle gear mechanism and includes the usual housing 1 and a guide tube 2 for mounting a rotary bushing 10. The selector is fastened on one end of the handlebar of the bicycle with some type of clamping mechanism. When the bicycle rider rotates the rotary bushing 10 to shift gears, the rotary element 11 in combination with the shift detents 12 rotate with the rotary bushing 10 past some dome portion 8 of the

spring 6. In this manner, the drum 14 connected to the rotary member 10, winds or unwinds the control cable 16. The bicycle rider can feel the shift detents 12 sliding past the dome portion 8 of the spring 6, and the control cable 16 runs along the depression in the pivoting lever 15 in a concentric manner through the bearing 19 and the cable inlet 4 into the control cable jacket 46.

It is respectfully noted that the Wessel, et al. reference does not provide for the combination of elements as provided in newly-amended independent Claim 1 which clarifies the concatenation of Applicant's elements to provide the purposes and objectives as has been previously discussed.

The Wessel, et al. reference does not provide for a concept of the second linking section 23 (lug member) being insertable and pivotally mounted to the locking member 3 within the first linking section 33. Thus, the Wessel, et al. reference does not provide for: "... a turning member having a central through hole ..., a linking section defining an extending lug member displaced from said central axis line ...", as is necessary to newly-amended independent Claim 1.

Additionally, the Wessel, et al. reference does not even address the problem of the maintenance of the locking member 3 within the housing to provide a sturdy and structurally advantageous coupling between the locking member 3 and the ratchets 131. As has been previously discussed, the locking member has a length

which is larger than the width of the annular cavity which is clearly defined as the radial distance between the inner and outer circumferential walls 121 and 122 of the fixed housing 1. As can be seen in Fig. 3, this extended length of the locking member 3 allows the locking member 3 to bear against the outer circumferential wall 121 and the inner circumferential wall 122 when the locking member is engaged within the ratchets 131. This minimizes any inadvertent movement or displacement of the locking member 3 during operation of the bicycle without intervention by the rider of the bicycle.

Thus, the Wessel, et al. not provide for: "... a locking member having a length larger than said width of the annular cavity ...", for the purposes and objectives of the subject system. This is further clearly seen in newly-amended independent Claim 1 wherein it states: "... the length of the locking member being larger than the width of the annular cavity whereby when the locking member is pivotally rotated within the annular cavity, two ends of the locking member will respectively abut against the outer and inner circumferential walls of the annular cavity to prevent the locking member from further rotation ...".

It is respectfully noted to the Examiner that the Wessel, et al. reference spring 6, which the Examiner appears to equate to the locking member 3 of the subject Patent Application, only provides for a biasing force but does not provide for the particular dimensional aspects and interface with the inner and outer

circumferential walls of the fixed housing 1 as is necessary to the newly-amended independent Claim 1 for the purposes as previously discussed.

The remaining references cited by the Examiner, but not used in the rejection, have been reviewed and are believed to be further removed from the subject invention system, as defined by newly-amended independent Claim 1, than the reference cited and used in the rejection by the Examiner.

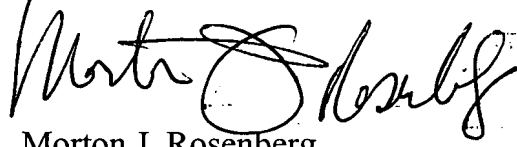
It is further believed that the subject Patent Application, as defined by newly-amended independent Claim 1, shows patentable distinction over the Wessel, et al. reference. The Wessel, et al. reference does not provide for all of the elements as now provided by the subject Patent Application as defined by newly-amended independent Claim 1, and thus, it is not believed that such anticipates the subject Patent Application under 35 U.S.C. §102(b). Additionally, the Wessel, et al. reference does not provide for the elements as provided in independent Claim 1 as now amended for even the purposes and objectives of the subject Application system, and thus, is not believed to show obviousness of the subject Application system under 35 U.S.C. §103.

It is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectfully requested.

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Respectfully submitted,
For: ROSENBERG, KLEIN & LEE

A handwritten signature in black ink, appearing to read "Morton J. Rosenberg", written over a dotted line.

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